

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
At Clarksburg**

**JEAN D. TRAVIS,**

**Plaintiff,**

**v.**

**Civil Action No.1:24-cv-33  
Honorable Thomas S. Kleeh**

**CREDIT ACCEPTANCE CORPORATION, and  
TRANSPORTATION NETWORK XI, LLC d/b/a  
CROWN MITSUBISHI,**

**Defendants.**

**DEFENDANTS' MOTION TO COMPEL ARBITRATION  
AND DISMISS THIS CIVIL ACTION OR, IN THE ALTERNATIVE,  
STAY THIS CIVIL ACTION PENDING ARBITRATION**

Defendant Credit Acceptance Corporation (“Credit Acceptance”) and defendant Transportation Network XI, LLC (“Transportation Network”), by their respective counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and the Federal Arbitration Act, 9 U.S.C. §§ 1, *et seq.*, move this Honorable Court for entry of an order compelling all claims to arbitration and dismissing this civil action or, in the alternative, staying this civil action pending arbitration. The claims should be submitted to arbitration pursuant to a valid, binding Arbitration Clause contained in the “Retail Installment Contract and Security Agreement” (“Contract”) entered into by Transportation Network, as the seller, and plaintiff Jean Travis (“Plaintiff”) and Gerald Everett, as the buyers, on December 23, 2023 to finance the purchase of a new 2024 Mitsubishi Outlander Sport, VIN number JA4ARUAU8RU002100 (“Vehicle”) and assigned to Credit Acceptance. (Ex. A, Declaration of Kelly Namel, at Ex. 1.)

All of Plaintiff's claims arise out of or relate to the Contract and thus are subject to the Arbitration Clause. Accordingly, the defendants are entitled to an order compelling arbitration and dismissing this civil action or, in the alternative, staying this civil action pending arbitration. In further support of this Motion, the defendants incorporate the supporting Memorandum of Law filed contemporaneously herewith and the following exhibits:

- Ex. A – Declaration of Kelly Namel.
  - Ex. A-1 – The parties' Retail Installment Contract and Security Agreement.
  - Ex. A-2 – The Certificate of Title for the Vehicle.

**WHEREFORE**, the defendants respectfully request that this Court enter an Order (1) dismissing Plaintiff's claims in this civil action or, in the alternative, staying this civil action and compelling Plaintiff to arbitrate her claims, and (2) awarding the defendants such other relief as the Court deems appropriate.

/s/ Nicholas P. Mooney II

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Network XI, LLC D/B/A Crown Mitsubishi***

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**CERTIFICATE OF SERVICE**

I, Nicholas P. Mooney II, counsel for defendant Credit Acceptance Corporation, hereby certify that on April 5, 2024, I served the foregoing *Defendants' Motion to Compel Arbitration and Dismiss the Civil Action or, in the Alternative, Stay This Civil Action Pending Arbitration* via E-File which will send electronic notification to the following counsel of record:

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/s/ Nicholas P. Mooney II  
Nicholas P. Mooney II (WV State Bar No. 7204)